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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,258	08/29/2000	SATOSHI NORIMATSU	A-378	9486

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EXAMINER

JONES, SCOTT E

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/650,258

Applicant(s)

NORIMATSU, SATOSHI

Examiner

Scott E. Jones

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-9 and 14-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9 and 14-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the amendment filed on March 2, 2005 in which applicant amends claim 1, cancels claims 5 and 13, adds claims 15 and 16, and responds to the claim rejections. Claims 1-4, 6-9, and 14-16 are pending.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6-9 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morawiec (U.S. 6,010,405) in view of Miyata et al. (U.S. 6,392,644).

Morawiec discloses a videogame system having an audiovisual presentation designed to simulate an episodic nature of a comic book page. The audiovisual presentation is defined by distinct panels sequentially arranged to form a page layout, the panel limits the player-controlled character play to in an active panel in which the character must complete tasks before proceeding forward in the sequential arrangement of panels to create the comic book story. Additionally, the videogame system allows a player variety by providing alternate routes in which to traverse the panels thereby enabling a game player to determine the story line. Graphic effects are also provided to enhance the comic book medium simulation. For instance, the active panel display has a greater three-dimensional feel than the dormant panels which are flatter in appearance. Morawiec further discloses:

Regarding Claims 1, 8, and 9:

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- a game console having a microprocessor with a player-controlled input device for providing signal outputs to the console which are responsive to player input and provide audiovisual images on a display in response to player's inputs (Abstract, Column 3, lines 40-52 and Figure 6); and
- wherein three-dimensional objects corresponding to at least one of enemy characters except for the character corresponding to a player, traps and items are arranged in a manner of different contents and different order in said field of view corresponding to each of a plurality of viewpoints (Figure 2). This limitation is read on by figure 2. When the player character travels to the right or left each of the items shown on the screen are arranged in a different manner (opposite).

Regarding Claims 3, 4, 6:

- a microprocessor and memory for providing a scene change (a player completing tasks in one panel and proceeding to the next panel in the comic book medium simulation) (Abstract, Column 1, lines 45-60, Column 2, lines 3-36, and Figures 1, 2).

Regarding Claim 14:

- wherein said image preparing unit generates the plurality of the two-dimensional images including different contents with corresponding the common three-dimensional game space to each of the plurality of viewpoints (Figure 1 and Column 3, line 62-Column 4, line 34). Morawiec discloses allowing a player variety by providing alternate routes in which to traverse the panels of a comic book page thereby enabling a game player to determine the story line. Morawiec accomplishes this goal by providing directional arrows, as shown in Figure 1, to show the player

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alternate routes to take. The story is told/played in a sequential/forward-only fashion. Therefore, a player can play a same selected portion of said predetermined course, that is from the start panel to the ending panel in the comic book story, and traverse alternate panels along the way having different viewpoints at different times for the storyline.

Morawiec seems to lack explicitly stating:

Regarding Claims 1, 8, and 9:

- setting a plurality of viewpoints in the field of view in which said character is included; and selectively preparing two-dimensional images corresponding to said plurality of viewpoints.

Regarding Claim 2:

- storing image data necessary for preparing two-dimensional images corresponding to one of said plurality of viewpoints.

Regarding Claim 7:

- the game system changes the level of difficulty of the events corresponding to the plurality of viewpoints.

Regarding Claim 15:

- the three-dimensional objects corresponding to said character corresponding to a player, said enemy characters, said traps and said items are configured by polygons.

Regarding Claim 16:

- said image preparing unit performs perspective projection conversion based on the viewpoint set by said viewpoint setting unit to a said three-dimensional objects and generates said two-dimensional image.

Miyata et al. teaches of a three-dimensional graphics display system that jointly uses two and three-dimensional image representations thereby effectively reducing the amount of data to process.

Miyata et al. teaches:

Regarding Claims 1, 8, and 9:

- setting a plurality of viewpoints in the field of view in which said character is included; and selectively preparing two-dimensional images corresponding to said plurality of viewpoints (Abstract, Figures 2, 3, 5, 9, 10, 11, 19, 23, Column 6, lines 1-25, Column 7, lines 12-16, 50-65, and Column 17, lines 60-67).

Regarding Claim 2:

- storing image data necessary for preparing two-dimensional images corresponding to one of said plurality of viewpoints (Abstract, Figures 2, 3, 5, 9, 10, 11, 19, 23, Column 6, lines 1-25, Column 7, lines 12-16, 50-65, and Column 17, lines 60-67).

Regarding Claim 15:

- the three-dimensional objects corresponding to said character corresponding to a player, said enemy characters, said traps and said items are configured by polygons (Abstract, Figures 2, 3, 5, 9, 10, 11, 19, 23, Column 6, lines 1-25, Column 7, lines 12-16, 50-65, and Column 17, lines 60-67).

Regarding Claim 16:

- said image preparing unit performs perspective projection conversion based on the viewpoint set by said viewpoint setting unit to a said three-dimensional objects and generates said two-dimensional image (Abstract, Figures 2, 3, 5, 9, 10, 11, 19, 23, Column 6, lines 1-25, Column 7, lines 12-16, 50-65, and Column 17, lines 60-67).

This limitation occurs each time a viewpoint is changed.

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate the graphic display system of Miyata et al. in the videogame system of Morawiec. Doing so allows for simultaneous two and three-dimensional image representations thus reducing the amount of image data processing and freeing up computer resources for other necessary game functions.

Regarding Claim 7, it would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate different difficulty levels for each sequential panel in Morawiec's comic book videogame simulation system. Increasing the difficulty of a game scene (game stage) as a game progresses is notoriously well known in the art.

Response to Arguments

4. Applicant's arguments filed March 2, 2005 have been fully considered but they are not persuasive.

5. Applicant respectfully traverses the rejection to Claims 1-9 and 13-14 under 35 U.S.C. 103(a) as being unpatentable over Morawiec (U.S. 6,010,405) in view of Miyata et al. (U.S. 6,392,644). Applicant alleges Morawiec does not appear to show a three dimensional game space. The examiner asserts Morawiec's character moves in both two-dimensions (distinct panels shown as a comic strip) and three-dimensions (the active panel selected by player wherein a player completes a task in a three-dimensional space). Morawiec clearly discloses a player plays in a three dimensional game space in Column 5, line 54-Column 6, line 31). Therefore, for the reasons discussed hereinabove, the rejection to claims 1-4, 6-9 and 14-16 renders the claimed invention obvious.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

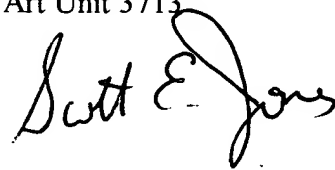
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (571) 272-4438. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott E. Jones
Primary Examiner
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A handwritten signature in black ink, appearing to read "Scott E. Jones", written in a cursive style.

sej